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**FACSIMILE COVER SHEET**

**TO:** Examiner Hung T. Vy  
U.S.P.T.O.

**FROM:** Carl B. Wischhusen

**RE:** U.S. Application No. 10/708,550  
Attorney Docket No.: 03292.101110.2

**FAX NO.:** (571) 273-1954

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03292.101110.2.

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BLAYN W. BEENAU, ET AL.

Application No.: 10/708,550

Filed: March 10, 2004

For: SYSTEMS AND METHODS FOR  
PROVIDING A RF TRANSACTION  
DEVICE OPERABLE TO STORE  
MULTIPLE DISTINCT ACCOUNTS

Examiner: Hung T. Vy

Art Unit: 2163

Confirmation No.: 2549

April 12, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450TRANSMITTAL FOR EXAMINER'S AMENDMENT  
AND TERMINAL DISCLAIMER

Sir:

A Terminal Disclaimer for this application is enclosed. A proposal for an Examiner's Amendment was previously sent to the Examiner on April 10, 2007 via email.

Please charge the amount of \$130.00 for the fee for submission of the Terminal Disclaimer to Deposit Account 06-1205. Please charge all excess claims fees relating to the Examiner's Amendment to Deposit Account 06-1205. Also, please charge any additional fees required for the submission of the Terminal Disclaimer or entry of the Examiner's Amendment, or credit any overpayments, to Deposit Account 06-1205.

Applicants undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Carl B. Wischhusen  
Attorney for Applicants  
Registration No. 43,279

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
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Confirmation No.: 2549

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450TERMINAL DISCLAIMER

Sir:

Your petitioner, American Express Travel Related Services Company, Inc., a corporation duly organized under the laws of New York, having a principal office at General Counsel's Office, American Express Tower, World Financial Center, 200 Vesey Street, New York, New York 10285-4900, and duly represented by the undersigned, represents that it is the assignee of the full title and interest in and to the above-identified Application No. 10/708,550, filed March 10, 2004, as evidenced by the deed of Assignment recorded on July 30, 2004 at Reel 014927, Frame 0001.

04/13/2007 TL0111 00000047 061205 10708550

01 FC:1814 130.00 DA

Your petitioner hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of U.S. Patent No. 7,119,659 or U.S. Patent No. 7,172,112 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 7,119,659 and U.S. Patent No. 7,172,112, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 7,119,659 or U.S. Patent No. 7,172,112, as presently shortened by any terminal disclaimer, in the event that subsequent hereto U.S. Patent No. 7,119,659 or U.S. Patent No. 7,172,112 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is the subject of any disclaimer under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

By: Maxine Y. Graham

Title: Chief IP Counsel

Date: 4-11-07

Form #105

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